

REMARKS

In the Advisory Action of November 19, 2003, the Examiner did not enter the proposed amendments in the November 12, 2003 Amendment After Final. The Examiner stated that "[t]he amendments such as the incorporation of claim 89 into 76 fails to incorporate claim 87 from which it depends. The amendments require further consideration. Additionally, applicant's amendments to the drawings requires further consideration."

Because Applicant's proposed amendments were unentered, Applicant sets forth those amendments once again in this response. In addition, this response incorporates claim 87 into claim 76, as explained below. This response also addresses the Examiner's statements in the Advisory Action. As a formal matter, Applicant requests that this Response to Advisory Action and Amendment After Final replace the Amendment After Final filed November 12, 2003, and that the previously filed Amendment After Final not be entered.

Regarding the Examiner's statement in the Advisory Action that the drawings require further consideration, Applicant made no amendments to the drawings in the November 12, 2003 Amendment. Applicant merely submitted formal drawings, and do so again in this response. The drawings therefore do not contain any amendments, and thus do not require further consideration.

By this Amendment, Applicant simply places all of the claims in condition for allowance based on the Examiner's indications of allowed and allowable subject matter in the final Office Action of September 12, 2003. To make this clear in this response, Applicant first explains the status of the claims based on the proposed amendment.

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Pending Claim Sets

By this Response, Applicant proposes canceling claims 32, 55, 65, 71, 78-81, 87, and 89, and amending claims 31, 54, 64, 70, 76, 88, and 90. No new matter is entered by these proposed amendments. With these amendments, claims 31, 33-41, 54, 56-64, 66-70, 72-77, 82-86, 88, and 90-113 are pending, with claims 31, 54, 64, 70, 76, and 91 being independent. Of the pending claims, claims 40, 41, 61, 62, 88, and 90 have been withdrawn from consideration as being allegedly drawn to non-elected species.

The following six claim sets therefore remain in this case:

- I. independent claim 31 and its dependent claims 33-41, 106, and 107;
- II. independent claim 54 and its dependent claims 56-63, 108, and 109;
- III. independent claim 64 and its dependent claims 66-69, 110, and 111;
- IV. independent claim 70 and its dependent claims 72-75, 112, and 113;
- V. independent claim 76 and its dependent claims 77, 82-86, 88, and 90; and
- VI. independent claim 91 and its dependent claims 92-105.

Applicant will summarize the status of each claim set below.

Claim Set VI

In the final Office Action, the Examiner allowed claim set VI (claims 91-105).

Claim Sets I and IV

Also in the final Office Action, The Examiner indicated that dependent claims 32 and 71 contain allowable subject matter. These claims recite that "a valved end of the valve includes an opening when the valve is in the normally at least substantially closed position." That feature has been added to the respective base independent claim.

There were no intervening claims. Claim sets I and IV therefore are in condition for allowance based on the Examiner's indication of allowable subject matter.

Claim Sets II, III, and V

In view of the Examiner's indication that claims 32 and 71 contain allowable subject matter, Applicant believes that dependent claims 55, 65, and 89 also contain allowable subject matter. These dependent claims contain the same feature as claims 32 and 71, i.e. "a valved end of the valve includes an opening when the valve is in the normally at least substantially closed position." The Examiner did not specify any basis in the prior art for rejecting these claims.

Accordingly, Applicant has amended each of independent claims 54, 64, and 76 to include the features of respective dependent claims 55, 65, and 89. No intervening claims are associated with dependent claims 55 and 65. Intervening dependent claim 87 is associated with claim 89. The features of intervening dependent claim 87 have been included in the base dependent claim 76, in specific response to the Examiner's statement in the Advisory Action. Claim sets II, III, and V therefore are in condition for allowance.

Withdrawn claims

Since generic independent claims 31, 54, and 76 are allowable, Applicant respectfully requests that claims 40 and 41 (which depend from claim 31), claims 61 and 62 (which depend from claim 54), and claims 88 and 90 (which depend from claim 76), all of which had been withdrawn from consideration, be rejoined to this application and be allowed at least by virtue of their dependency from allowable independent claims 31, 54, and 76.

Conclusion

Applicant requests that this Amendment under 37 C.F.R. § 1.116 be entered, placing all pending claims in condition for allowance. The proposed amendments of claims 31, 54, 64, 70, 76, and 90 do not raise new issues or necessitate the undertaking

of any additional search of the art by the Examiner, since all of the elements and their relationships were previously claimed. Issuance of a Notice of Allowability is requested.

The final Office Action of September 12, 2003 contains a rejection of claims under 35 U.S.C. § 102(e) based on Taylor (U.S. Patent No. 6,544,291). Applicant does not necessarily agree with this rejection or the characterizations made in the Office Action, but notes that the rejection should no longer be applicable since all of the claims recite allowable subject matter.

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims. The Examiner is invited to call the undersigned (202-448-4140) if a telephone conversation might advance prosecution of the application.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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